

Attorney's Docket: 2001DF313/DSerial No.: 10/650.370Art Unit 1621Response to Office Action of April 14, 2004

### REMARKS/ARGUMENTS

The Office Action mailed April 14, 2004 has been carefully considered together with each of the references cited therein. The amendments and remarks presented herein are believed to be fully responsive to the Office Action. Accordingly, reconsideration of the present Application in view of the following remarks is respectfully requested.

Applicant has amended the specification to properly refer to the parent application, including the status of the parent application which is now issued as US Patent No. 6,706,925. Applicant has also corrected paragraph [00017] which contained an obvious typographical error in the term "Ophenyl" which was replaced with the term —O-phenyl—, referring to a radical, and removed the word "appropriate" in reference to the alkene (II) and alkyne(IV), since any alkene or alkyne will be suitable for the coupling reaction(See Applicant's Specification at [00018]). It is believed that no new matter was introduced by this amendment.

Applicant has amended the Application to attend to housekeeping matters and to more clearly describe the invention. Claim 11 was amended to remove inconsistent and conflicting language. Claim 13 was amended to be consistent with amended claim 11. In claim 11, formula 1 and its descriptors was added and the reference to canceled claim 1 was removed. The representation of formulas III and V was amended to remove confusing hydrogen branches and to more clearly show the number of groups attached to the boron atom. The term oxidant in line 2 was replaced with the term "first oxidant" and a list of first oxidants was added. The oxidant term in 3<sup>rd</sup> line from the end was replaced with the term "second oxidant" to distinguish the term from the first oxidant. The reference to "Ophenyl" is a typographical error which was not earlier noticed. Correction to "O-phenyl" was made and the word "appropriate" removed. Support for these amendments may be found in originally filed claims 1 and 12, and in Applicant's Specification at paragraph [00012] which refers to a first reaction step with the first oxidant, and paragraph [00015], [0018] and [00019] discloses a second oxidant. It is not believed that any new matter was introduced by these amendments, and that no additional search is

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required by the office. Claim 13 was amended to properly refer to the second oxidant. Claims 11 and 13 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claims 11 and 13 according to Examiner's suggestion to more clearly describe the invention. New claim 15 is supported by originally filed claim 1. Therefore the rejection of claims 11 and 13 as amended under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention should be withdrawn in view of the above amendments.

It is respectfully submitted that, in view of the above remarks, the rejections under 35 U.S.C. § 112 should be withdrawn and that this application is in a condition for an allowance of all pending claims. Accordingly, favorable reconsideration and an allowance of all pending claims are courteously solicited.

An early and favorable action is courteously solicited.

Respectfully submitted,



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